IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 25TH JULY 2007 / 3RD SRAVANA 1929

WP(C).No. 22861 of 2007(V)

CC.524/2002 of J.M.F.C.-II,NEYYATTINKARA
CC.455/2002 of J.M.F.C.-II,NEYYATTINKARA

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PETITIONER:

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1. K.MURALEEDHARAN NAIR,
   SUB INSPECTOR OF POLICE,
   C.B.C.I.D., THIRUVANANTHAPURAM.

2. R.CHANDRAN,
   H.C.T.5126(GRADE ASI),
   VELLARADA POLICE STATION,
   THIRUVANANTHAPURAM.

BY ADV. SRI.PIRAPPANCODE V.S.SUDHIR

RESPONDENTS:

STATE OF KERALA,REP.BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA,ERNAKULAM(DEPUTY SUPT. OF POLICE, NARCOTIC CELL, TVM RURAL AND DEPUTY SUPT. OF POLICE, NEYYATTINKARA, COMPLAINANT IN C.C. NO.524/2002 & 455/2002 OF JFCM, NEYYATTINKARA RESPECTIVELY)

BY GOVERNMENT PLEADER SRI.M.S.BREEZ

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

R.BASANT, J

W.P(C).No.22861 of 2007

Dated this the 25th day of July, 2007

JUDGMENT

The petitioners are police officials. There are allegations and counter allegations in respect of an incident. The cases are pending before the Judicial Magistrate of the First Class-II, Neyyattinkara in respect of that incident as C.C.No.455/2002 and C.C.524/2002. The short grievance of the petitioners in this Writ Petition is that the learned Magistrate is not taking steps for expeditious disposal of those two cases.

2. Half a decade has passed by and i find the request of the petitioners for early disposal to be absolutely justified. But have the petitioners moved the learned Magistrate for expeditious disposal of the case ? Admittedly they have not. I am at a loss to understand how and why the petitioners have rushed to this Court without and before making that request before the learned Magistrate concerned. While sympathising with the plight of the petitioners I am unable in these circumstances to give any specific directions to the petitioners. It is for the petitioners to approach the learned Magistrate and claim expeditious disposal of the two connected cases pending before the learned Magistrate.

3. This Writ Petition is, in these circumstances, dismissed, but with the observation that the petitioners shall be at liberty to seek the relief of expeditious disposal before the learned Magistrate. The learned Magistrate must consider the said request and pass appropriate orders. Needless to say that every court worth its salt must endeavour to dispose of all such old cases as expeditiously as possible.

(R.BASANT, JUDGE)

rtr/-